srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7812 OF 2007.

M/s. Krishanlal Jai Bhagwan Goyal. ..Petitioners.

V E R S U S

Union of India & others. ..Respondents.

Mr. G. S. Godbole for the petitioner.

Mr. Suresh Kumar for the respondents.

CORAM: S.B.MHASE & D.G.KARNIK,JJ.

DATE : OCTOBER 22, 2007.

P.C.

1. By this petition the petitioner challenges the award of tender to the respondent no.4. The respondent nos. 1 to 3 invited tenders for leasing of the parcel van for transportation of the parcels from Bandra (Mumbai) to Amritsar. According to the petitioner his tender was higher than the tender submitted by the respondent no.4 and the respondent nos. 1 to 3 have erred in accepting the tender of the respondent no.4.

2. The petitioner submitted the tender giving a rate of Rs.1,45,005/- per round trip. While the rate given by the respondent no.4 was Rs.1,41,767/- per round trip. However, in the tender the petitioner claimed that he wanted a holiday for one day in each month. That means the petitioner was to provide service and pay rent for 352 days in a year. The respondent no.4 wanted holidays only for three days in a year. That means the respondent no.4 was to provide the service for 362. The total annual value (rent) of the respondent no.4 comes to Rs.1,41,767 X 362 = Rs.5,13,19,654/-. While the total annual value (rent) of the tender of the petitioner comes to Rs.1,45,005 X 353 = 5,11,86,765/-. Thus the annual revenue that would be generated by the respondent nos. 1 to 3 by leasing a the van to the petitioner would be Rs.,5,11,86,765/- while it came to Rs.5,13,19,654/- in respect of the respondent no.4. Therefore, we are satisfied that the tender of the respondent no.4 was higher in value. We do not see any error in the decision taken by the respondent nos. 1 to 3 in awarding the tender to the respondent no.4. We therefore dismiss the petition summarily.

(D.G.KARNIK, J.) **(S.B.MHASE, J.)**